APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,727	02/20/2004	Takao Yamamoto	0505-1273P	3598

2292   7590   04/19/2007
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EXAMINER
CARTER, WILLIAM JOSEPH

ART UNIT	PAPER NUMBER
2875	

SHORTENED STATUTORY PERIOD OF RESPONSE	NOTIFICATION DATE	DELIVERY MODE
3 MONTHS	04/19/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of this Office communication was sent electronically on the above-indicated "Notification Date" and has a shortened statutory period for reply of 3 MONTHS from 04/19/2007.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

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Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>25 January 2007</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1,3-12,14,15 and 17-19</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☒ Claim(s) <u>14,15 and 17-19</u> is/are allowed.

6)☒ Claim(s) <u>1 and 3-12</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>20 February 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☒ All   b)☐ Some * c)☐ None of:

        1.☒ Certified copies of the priority documents have been received.

        2.☐ Certified copies of the priority documents have been received in Application No. _____.

        3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 3, 4, 7-10, and 13 are rejected under 35 U.S.C. 102(b) as being

anticipated by Friday (5,856,779).

With respect to claim 1, Friday teaches a lamp apparatus (10) for a vehicle

comprising: a body frame (column 4, lines 10-15) having a lamp unit (14) including a

supporting member (11); the lamp unit having a light emitting diode (12) as a light

source in a lamp body (14); and voltage adjustment means (18 via 25) for adjusting a

voltage to be applied to the light emitting diode; wherein the voltage adjustment means

is provided separately outside the lamp body (18 in Fig. 3), and wherein the voltage

adjustment means (18 via 25) is disposed within an accommodation portion (portion

disposed around 18 in Fig. 3) of the supporting member (11). Friday does not explicitly

teach the supporting member including an insertion hole for receiving the lamp unit and

an accommodation portion adjacent to the insertion hole, the accommodation portion

having a shape corresponding to a shape of the voltage adjustment means such that

the adjusting means is disposed integrally within the accommodation portion. Friday

does teach the supporting member (11) including an insertion hole (opening around 20)

for receiving another lamp unit (20) and an accommodation portion (portion disposed

around 18 in Fig. 3) adjacent to the insertion hole (Fig. 3), the accommodation portion

having a shape corresponding to a shape of the voltage adjustment means (18 via 25)

such that the adjusting means is disposed within the accommodation portion. It would

have been obvious to one of ordinary skill in the art, at the time of the invention, to use

the supporting member of lamp unit 20 with lamp unit 14, in order to provide an easily

viewable and easily accessible housing for the lamp (Fig. 3). It would have been

obvious to one of ordinary skill in the art, at the time of the invention, to make the

voltage adjustment means (18 via 25) and the accommodation portion (portion disposed

around 18 in Fig. 3) integral, since it has been held that making an old device integral

without producing any new and unexpected result involves only routine skill in the art. In

re Larson, 340 F.2d 965, 968, 144 USPQ 347, 349 (CCPA 1965).

As for claim 3, Friday teaches the lamp apparatus (10) further includes a lamp

relay apparatus (27).

As for claim 4, Friday teaches a relay (27) operatively connected to the voltage

adjustment mean (25) for selectively turning the lamp unit (14) on and off (column 4,

lines 50-55).

As for claim 7, Friday teaches a blinker apparatus (10) for a vehicle comprising: a

blinker (14) having a light emitting diode (12) as a light source in a lamp body (15); and

a voltage adjustment means (25) to be applied to the light emitting diode; wherein the

voltage adjustment means is integrally (Fig. 4; as can clearly be seen in figure 4, the

dotted line 18 indicated the blinker relay and item 25 is the voltage adjustment means

within the dotted line 18, thus integrally provided in) provided in a blinker relay (18)

separately from the lamp body (Fig. 3), and wherein the blinker relay (18) is attached to

a vehicle body frame of the vehicle (via item 11, blinker relay 18 is attached to lamp

housing 11 which must be attached to the vehicle body which must be attached to the

vehicle body frame, therefore making blinker relay 18 is attached to the vehicle body

frame).

As for claim 8, Friday teaches, the voltage adjustment means (25) is a resistor.

As for claim 9, Friday teaches, a lamp relay apparatus (18), the boltage

adjustment means (25) being positioned within the lamp relay apparatus (Fig. 4) and

being provided separately relative the lamp body (15) (Fig. 3).

As for claim 10, Friday teaches a relay (27) operatively connected (Fig. 4) to said

voltage adjustment means (25) for selectively turning the light emitting diode (12) on

and off (column 4, lines 50-55).

As for claim 13, Friday teaches a lamp body (15) formed from a member having

a high heat transfer property (column 4, lines 13-15); wherein the light emitting diode is

attached to part of the lamp body case (Fig. 1).

Claims 5 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Friday in view of Meggs et al. (4,597,033).

As for claim 5 and 11, Friday teaches all of the claimed elements as disclosed

above, as well as, an oscillation circuit (18) and a relay coil (27a). Friday does not

explicitly teach an armature for operating in response to a magnetic force from the relay

coil. By definition (http://electronics.howstuffworks.com/relay1.htm) the relay (48 and

circuit shown in Fig. 8) of Meggs includes a relay coil and a magnetic force

(electromagnet) and an armature for operating in response to a magnetic force from the relay coil. It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use the relay of Meggs to receive the output from the oscillation circuit of Friday in order to selectively activate the LED lighting when the vehicle loses power (column 6, lines 21-23).

Claims 6 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Friday.

With respect to claims 6 and 12, Friday teaches a relay (27) operatively connected to the voltage adjustment means (25) for selectively turning the lamp unit (14) on and off (column 4, lines 50-55). Friday does not explicitly teach the voltage adjustment means (25) is disposed in a separate housing relative to the relay, but Friday does teach another voltage adjustment means (25') disposed in a separate housing (column 6, line 20-21) relative the housing (18) of the relay (27). It would have been obvious to one of ordinary skill in the art, at the time of the invention, to use resistor 25' instead of resistor 25 as the voltage adjustment means of Friday, in order to supply electrical current of the proper voltage to the lamp unit (column 6, lines 20-26).

Allowable Subject Matter

Claims 14, 15, and 17-19 are allowed. The prior art does not teach or suggested a LED lamp for a vehicle wherein the LED is attached to a heat radiating member at a distance from a voltage adjustment means corresponding to the thickness of a bottom

wall of a lamp body case that is thicker than the circumferential wall that forms a

tubular-shape of the lamp body case, along with the other limiting elements of claim 14.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to William J. Carter whose telephone number is (571)272-

0959. The examiner can normally be reached on Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Sandra L. O'Shea can be reached on (571)272-2378. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

wjc
04/05/07

ALI ALAVI
PRIMARY EXAMINER